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Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

List of issues prior to submission of the sixth periodic report of Australia*

Specific information on the implementation of articles 1-16 of the Convention, including with regard to the Committee's previous recommendations

Follow-up questions from the previous reporting cycle

1. With reference to the Committee's previous concluding observations (see CAT/C/AUS/CO/4-5, para. 9)[1] and the information received from the State party in follow-up to the concluding observations (see CAT/C/AUS/CO/4-5/Add.1), please provide the following information in relation to domestic and other gender-based violence for each state and major mainland territory of the State party and for the period under review:

(a) Annual data, disaggregated according to the type of crime, sex and age range of the victim and the minority group to which she or he belongs, if applicable, on the number of victims of domestic and other gender-based violence, including the number of those who died as a result, the number of complaints lodged or allegations registered by the police, the number of such complaints that were investigated, how many of those complaints led to prosecutions and convictions and the punishment imposed in those cases;

(b) A brief indication of the means of redress provided to victims of domestic and other gender-based violence, including the adequacy of funding of legal services (community legal centres and Family Violence Prevention Legal Services) and of crisis and transitional accommodation, the number of shelters and their occupancy rate, and whether medical and psychosocial counselling is provided, the procedure to obtain compensation and the annual percentage of cases in which compensation has been awarded;

(c) Updates on the measures taken to intensify community-based approaches to address the gap in service delivery for indigenous women, women living in rural and remote areas and women with disabilities, in addition to the measures taken by the Australian Capital Territory government;

* Adopted by the Committee at its fifty-ninth session (7 November-7 December 2016).

[1] Unless otherwise indicated, paragraph numbers in parentheses refer to the previous concluding observations adopted by the Committee.

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(d) Measures to facilitate the lodging of complaints and to address the barriers that may prevent women from reporting acts of violence;

(e) An evaluation of the effectiveness and impact of the various action plans, strategies and policies adopted in that area, including coronial inquest findings, to address failures to protect victims of domestic or gender-based violence.

2. With regard to the Committee's previous concluding observations (para. 12) and the information received from the State party in follow-up to the concluding observations, please provide the following information in relation to the overrepresentation of indigenous people in prisons for each state and major mainland territory of the State party and for the period under review:

(a) An evaluation of the impact of justice reinvestment initiatives and programmes addressing the problem. Please indicate whether such initiatives were conducted on the basis of justice mapping, as recommended by the Senate Legal and Constitutional Affairs Legislation Committee, and if so, what justice targets were set, how far they have been achieved and the existing gaps in services required to reduce crime that have not yet been addressed;

(b) Annual statistical data on the indigenous imprisonment rate, disaggregated by gender and age, in relation to the total prisoner population;

(c) Information on whether mandatory sentencing laws are still in force in certain Australian jurisdictions and whether there are plans to review them;

(d) Steps to improve legal assistance services to indigenous peoples.

3. In the light of the Committee's previous concluding observations (para. 15) and the information received from the State party in follow-up to the concluding observations in relation to the principle of non-refoulement, please provide information on:

(a) Steps taken to ensure that asylum seekers on board maritime vessels in the course of turnback operations have access to a fair, transparent and effective refugee status determination process, with the possibility of a merits review of the decision;

(b) In the light of the adoption of the Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014, which provides that non-refoulement obligations are not relevant in the context of an official's duty to remove an unlawful non-citizen under section 198 of the Migration Act, which mechanisms would enable an assessment of non-refoulement obligations before consideration of removal, as explained by the State party in its follow-up report, in the case of applicants who are excluded from protection on certain character or security grounds, the so-called "excluded fast track applicants", or applicants intercepted at sea;

(c) The impact the Migration Amendment (Protection and Other Measures) Act 2015 will have on the presentation of evidence throughout the refugee status determination process and the so-called "fast track assessment and removal process";

(d) The measures taken to ensure that a complete review of protection visa applications that were previously refused in Australia or elsewhere takes place in instances in which new evidence is presented, particularly with regard to the so-called "excluded fast track applicants";

(e) The circumstances under which the Minister can issue a "conclusive certificate" under subsection 411 (3) of the Migration Act, denying "fast track applicants" a merits review of the decision to refuse a protection visa;

(f) Whether the judicial review of refused protection visa decisions by the Federal Circuit Court and Federal Court, particularly of "excluded fast track applicants" or

applicants who are excluded from protection on certain character or security grounds, allows not only for consideration of whether the decision was affected by jurisdictional error, but also for the reconsideration of the merits of a case. If not, please indicate whether the State party intends to establish an effective judicial remedy to challenge the merits of all decisions to refuse a protection visa with automatic suspensive effect of the deportation;

(g) The State party's plans to grant access to legal assistance or advice to all asylum seekers without a valid visa and to expand the legal assistance provided to asylum seekers with a valid visa or vulnerable asylum seekers, such as unaccompanied minors, during the entire asylum procedure, including during the consideration of the merits and the judicial review.

4. With regard to the Committee's previous concluding observations (para. 16) and the information received from the State party in follow-up to the concluding observations on mandatory immigration detention, please provide information on:

(a) Steps taken to repeal the provisions of the Migration Act 1958 establishing the mandatory detention of persons entering Australian territory irregularly;

(b) The conditions of and time frame for detention of refugees and asylum seekers who were transferred from Nauru to Australia for medical reasons;

(c) Measures taken to ensure that undocumented migrants are detained only as a measure of last resort, after alternative measures have been duly examined and exhausted, and for as short a period as possible. In that regard, please clarify the criteria and the procedure for examining the necessity and proportionality of imposing detention instead of granting a short-term or bridging visa in each case, including in cases of adverse security or character assessments, and whether the rules establishing those criteria are publicly available;

(d) Measures taken to ensure that unaccompanied children and families with children are not detained under immigration legislation or, if they are, that that is done only as a measure of last resort, taking into account the best interests of the child as a primary consideration, after alternatives to detention have been duly examined and exhausted, and for as short a period as possible. Please indicate the circumstances under which families may be separated, for how long, and the impact that may have on their refugee status determination procedure. Please also indicate the additional safeguards that apply when an unaccompanied minor is detained, such as the assignment of an independent guardian;

(e) Steps taken to establish statutory time limits to immigration detention, to set up a judicial remedy to review the legality and proportionality of the decision imposing detention or providing an adverse security assessment, and to provide free legal assistance to challenge the decision imposing detention;

(f) Measures taken to favour the application to refugees with adverse security assessments of alternative non-custodial options to detention in closed facilities;

(g) Annual data for the period under review, disaggregated by the type of measure and whether or not the person affected is a juvenile, a refugee with an adverse security or character assessment, or a stateless persons whose asylum claim was refused, on the percentage of cases in which alternatives to closed detention have been applied in practice, as compared with the percentage of cases in which closed detention was imposed, and the average duration and maximum duration of closed detention of undocumented immigrants.

Article 2[2]

5. With reference to the Committee's previous concluding observations (para. 8), please provide updated information on the legislative and other measures taken to ensure that the Australian Human Rights Commission is guided by a comprehensive definition of the term "human rights", and efforts to include the Convention against Torture as a scheduled instrument in the Australian Human Rights Commission Act 1986.

6. In the light of the Committee's previous concluding observations (para. 10), please provide the following information in relation to trafficking in persons for each state and major mainland territory of the State party and for the period under review:

(a) Annual statistical data, disaggregated by the age range, sex, country of origin and employment sector of the victim, on the number of victims of trafficking and the number of complaints lodged and reports regarding that crime registered by the police, the number of complaints that were investigated and led to prosecutions and convictions and the punishment imposed;

(b) A brief description of the means of redress provided to all victims of trafficking, including whether legal, medical and psychological assistance was provided, the number of shelters and their occupancy rate, social support schemes, vocational training, the procedure for obtaining compensation and the percentage of cases in which compensation was awarded;

(c) Efforts made to extend the government-funded support programme and to provide visas and protection against return to all victims of trafficking, irrespective of their participation in criminal proceedings against the traffickers, particularly when the victim would be in danger of exploitation, ill-treatment or torture in his or her country of origin;

(d) An evaluation of the impact of national plans and criminal justice responses aimed at countering trafficking.

7. With regard to the Committee's previous concluding observations (para. 14, and CAT/C/AUS/CO/3, para. 10), please update the Committee on the legislative measures taken by the State party to:

(a) Adopt a more precise definition of terrorist acts and other related offences, such as "advocating terrorism";

(b) Implement the recommendations of the Independent National Security Legislation Monitor. In that regard, please indicate the measures taken to provide appropriate safeguards for the use of police powers to detain without charge, control orders, and stop, search and seize, the use of the questioning and detention warrants by the Australian Security Intelligence Organisation, and the preventative detention regime. Please explain how the right to have access to a lawyer from the outset of the deprivation of liberty, the right to contact family or a next of kin and the right to prompt judicial review are restricted with regard to those powers or measures.

8. With regard to the previous concluding observations (para. 21), please indicate the steps taken to increase compliance with the recommendations made by the Parliamentary

[2] The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2 by States parties, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent such ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also chapter V of the same general comment.

Joint Committee on Human Rights, in particular with regard to new legislation that has an impact on the State party's compliance with the obligations emanating from the Convention. In that regard, please indicate which recommendations concerning the implementation of the Convention in the State party have not been implemented during the period under review and the reasons for their non-implementation.

Article 3

9. With reference to the previous concluding observations (para. 17) on the offshore processing of asylum claims, please provide information on:

(a) The steps taken to ensure that asylum seekers are not being transferred to locations where the reception conditions are inadequate and unsafe, such as those in the regional processing centres of Nauru and Papua New Guinea (Manus Island), at least until the reception conditions reach adequate standards. In that regard, please indicate the measures taken to improve the conditions in regional processing centres, including with regard to adequate access to health care, including mental health care, and lighting, water, toilets, air conditioning, cooking facilities and communications, as recommended by the Parliamentary Select Committee on the Recent Allegations relating to Conditions and Circumstances at the Regional Processing Centre in Nauru in its report of August 2015;

(b) Whether asylum seekers to be transferred to regional processing centres in Nauru and Papua New Guinea, or to other third countries, may challenge in the State party the decision to be transferred to those countries when they face a real risk of torture or ill-treatment in those or in other third countries to which they could be removed, for example, because same-sex relationships between consenting adults are criminalized in the country of destination, as is the case in Papua New Guinea, or because those countries do not have a fair, efficient and expeditious asylum procedure;

(c) In brief, the refugee status determination procedure in those regional processing centres and the time frames involved, as well as the average processing time of the applications and whether there is a judicial review of refused asylum applications with a suspensive effect on the deportation;

(d) The outcome of the Senate inquiry into Australian offshore detention centres, as a result of serious allegations of violence, sexual assault, degrading treatment and self-harm contained in more than 1,000 incident reports from offshore processing centres on Nauru, many of which reportedly involved children. Please clarify the State party's intention to support and assist the law enforcement and justice sector in Nauru with regard to the investigation of that type of case, as was recommended by the Parliamentary Select Committee in its report of August 2015. Please provide annual data for the period under review, disaggregated by the type of offence and whether or not the alleged author was a Commonwealth contracted service provider, on the number of complaints of sexual abuse and ill-treatment inside the regional processing centres on Manus Island and Nauru. Please indicate the outcome of those complaints, including whether any investigations were carried out by the State party, and if any reparation was provided to victims. In particular, please provide information on the outcome of the investigations with regard to: (i) the violent attacks that took place between 16 and 18 February 2014 at the Manus Island regional processing centre, during which 70 persons were injured and Reza Barati was killed; (ii) the alleged ill-treatment of two asylum seekers by the centre's staff, with the purpose of making them retract their statements about the murder of Reza Barati; (iii) the rape of a woman after she had lost consciousness as a result of a seizure in Nauru processing centre in July 2015; (iv) the alleged attacks on juvenile asylum seekers during an altercation in Nauru processing centre on 7 April 2016; and (v) the alleged sexual violence against Nazanin Bagheri and the ill-treatment faced by her and her brother, Omid Bagheri Jebeli, in Nauru processing centre.

(e) Whether the Australian Border Force Act 2015, which imposes a two-year prison sentence for people who disclose protected information about detention centre operations, would be applicable to Commonwealth contracted service providers who report abuse or criminal behaviour in regional processing centres. In that regard, please indicate the measures taken to establish independent avenues of complaint and independent monitoring and inspection of regional processing centres run by the State party;

(f) The measures taken to relocate the asylum seekers and refugees who were transferred to Manus Island regional processing centre, in the light of the Supreme Court of Papua New Guinea ruling in April 2016 and the decision of its President to close the centre. Please clarify whether the State party plans to close the regional processing centre in Nauru.

10. Please comment on allegations that in May 2015 and again in July 2015, Australian government officials working as part of Operation Sovereign Borders intercepted boats carrying asylum seekers and other immigrants and paid the smugglers to turn back and take the boats to Indonesia, putting the passengers' lives at risk. Please clarify whether those allegations have been investigated and if so, the results of the investigation, including whether any compensation was provided. Please indicate whether the efforts of Operation Sovereign Borders to intercept and turn back boats are monitored and if so, by which entity.

11. Please provide annual statistical data for the period under review, disaggregated by the type of refugee status determination procedure (that applied to people with a valid visa and then seeking asylum, the fast track assessment and removal process applied to unauthorized maritime arrivals, or the so-called "enhanced screening process" at sea), sex and country of origin of the persons concerned and whether they are adults or children, on:

(a) The number of asylum applications registered and the number of applications processed;

(b) The number of applications for asylum or subsidiary protection that were granted, indicating, when applicable, the number of cases in which protection was granted in application of the principle of non-refoulement under article 3 of the Convention;

(c) The number of persons extradited, expelled or returned, including from offshore (Manus Island and Nauru), and the countries to which they were extradited, expelled or returned;

(d) The number of appeals made against expulsion or extradition decisions on the basis that applicants might be in danger of being subjected to torture in their countries of destination, the authority with which the appeals were lodged and the results of the appeals.

12. With regard to the Committee's previous concluding observations (para. 18), please provide information on the measures taken to:

(a) Set up a mechanism for the early identification of victims of torture and trafficking among asylum seekers and other persons in need of international protection. In that regard, please indicate the number of torture and trafficking victims identified among asylum seekers or undocumented migrants in relation to the total number of asylum seekers;

(b) Provide for a thorough medical and psychological or psychiatric examination of potential torture victims when signs of torture or trauma have been detected during personal interviews of asylum seekers or undocumented migrants. Please indicate whether such examinations are carried out in accordance with the procedures set out in the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) by trained independent health experts, with the support of professional interpreters;

(c) Provide immediate rehabilitation and priority access to the asylum determination procedure to identified victims of torture. Please clarify the procedure to obtain rehabilitation in the offshore processing centres and the annual percentage of cases in which rehabilitation was granted, in each state and major mainland territory of the State party and in the offshore processing centres.

Articles 5-9

13. Since the State party's previous report was considered by the Committee, please indicate whether the State party has rejected, for any reason, the request of a State for the extradition of an individual suspected of having committed torture and whether it has started prosecution proceedings against such an individual as a result. If so, please provide information on the status and outcome of such proceedings.

Article 10

14. Please clarify whether law enforcement personnel at all levels, including on Manus Island and Nauru, State security entities, prison staff, immigration officials, judges, prosecutors, medical personnel dealing with detainees or prisoners, forensic doctors and any other person who may be involved in the custody, interrogation or treatment of persons deprived of their liberty, receive training on:

(a) The provisions of the Convention;

(b) The guidelines used to detect signs of torture and ill-treatment in accordance with international standards, such as those outlined in the Istanbul Protocol;

(c) Non-coercive investigatory and restraint techniques, as well as the principle of the use of force as a last resort;

(d) The identification and referral of victims of trafficking, torture and sexual violence among asylum seekers.

If so, please indicate briefly whether the training is regular and compulsory, the overall size of the target group and the percentage of those trained during the period under review.

15. Please indicate whether the State party has developed specific methodologies to evaluate the effectiveness and the impact of such training on the prevention and absolute prohibition of torture.

Article 11

16. With reference to the previous concluding observations (para. 11), please provide for each state and major mainland territory of the State party and for the period under review:

(a) Statistical data, disaggregated by the place of detention and the minority group to which the detained person belongs, if relevant, on the number of pretrial detainees in relation to the total number of persons deprived of their liberty in criminal proceedings, the occupancy rate of all places of detention and the average and maximum duration of pretrial detention;

(b) Information on the steps taken to enhance the use of non-custodial measures as an alternative to imprisonment. In that regard, please provide statistical data on the percentage of cases in which non-custodial measures have been applied;

(c) Information on measures to ensure that remand prisoners are separated from convicted prisoners;

(d) Information on measures to ensure that free and adequate physical and mental health care is provided by independent doctors to all persons deprived of their liberty, including those in immigration detention onshore and offshore;

(e) Information on measures to establish an independent and effective mechanism for the monitoring, oversight and inspection of places of detention.

17. With reference to the previous concluding observations (para. 11), please indicate which recommendations made by the Royal Commission into Aboriginal Deaths in Custody in 1991 have not yet been implemented and the plans to address the gaps in implementation. Please provide annual statistical data for each state and major mainland territory of the State party and for the period under review, disaggregated by the place of deprivation of liberty and the sex and age range of the victim and the minority group to which she or he belongs, if applicable, on:

(a) The number of deaths in custody, indicating the cause of death;

(b) The number of persons injured or killed as a result of violence or the excessive use of restrictive measures inside places of detention or in the prisoner transportation system, indicating whether the perpetrator was a State official or a fellow detainee. Please provide detailed information on the outcome of investigations into such deaths or injuries, including the penalties imposed on the perpetrators of torture, ill-treatment or negligence that caused the death or the injuries.

18. With reference to juvenile justice, please provide the following information for each state and major mainland territory of the State party:

(a) Measures taken to ensure that juveniles deprived of liberty are not held in solitary confinement under any circumstances. Please explain the regime on the use of restraints applied to juveniles in detention;

(b) In the light of the video footage that emerged from the Don Dale Youth Detention Centre in the Northern Territory, showing children being held in isolation for extended periods in inhumane conditions, tear-gassed, hooded and strapped to a chair for several hours or repeatedly assaulted and stripped naked by prison guards, clarification of whether those acts have been investigated and if so, the outcome of the investigations. Please include information on the number of State officials, including those who consented to the acts, that have been investigated, prosecuted and sanctioned and the type of punishment imposed, and the type of reparations that have been offered and granted to the victims;

(c) The impact of the different diversionary programmes on the number of juveniles imprisoned or in detention for the period under review;

(d) Steps taken to ensure that children in conflict with the law are held separately from adults, particularly in Queensland and Victoria;

(e) Plans to raise the minimum age of criminal responsibility, which is currently 10 years old, and to review the legislation in order to avoid the imposition of life imprisonment on juveniles without the possibility of a thorough review and a genuine prospect of release on parole.

19. Please provide information for each state and major mainland territory of the State party on the regime applicable to the use of solitary confinement in non-medical settings, including the maximum and average duration, and whether or not the duration is recorded in each case. Please indicate whether there are any due process rights with regard to the imposition of disciplinary sanctions, including solitary confinement. Please provide information on the procedural requirements for a strip search, including the oversight mechanisms in place to ensure that detainees are aware of their right to complain.

20. Please provide the following information with regard to persons with cognitive and psychiatric impairments who are in contact with the criminal justice system in each state and major mainland territory of the State party and for the period under review:

(a) A brief description of the legal grounds for placing persons with cognitive and psychiatric impairments who are "unfit to plead" in detention, the type of facilities where detention takes place and the applicable regime;

(b) Clarification of whether there are statutory limits on the period of detention that can be imposed and whether the detention order is re-evaluated at appropriate intervals with regard to its continuing necessity, as recommended by the Australian Law Reform Commission in March 2016;

(c) The various means of challenging such detention initially and periodically, including the measures taken to facilitate access to complaint mechanisms for the persons affected;

(d) Measures taken to ensure that persons with cognitive and psychiatric impairments who are deprived of their liberty are not held in solitary confinement. Please indicate what measures are in place to restrict the use of restraints on persons with cognitive and psychiatric impairments, the maximum time for which restraints can be used, what alternative measures are in place as measures of control and whether there is regular medical supervision of the use of restraints. In that regard, please comment on allegations that Malcolm Morton, who is being held in the maximum security wing of the Alice Springs Correctional Centre, has been forcibly restrained in a chair and sedated on about 17 occasions since 2012. Please provide information on whether those allegations have been investigated and if so, the outcome of the investigations;

(e) Measures taken to develop community-based or alternative social-care services for persons with cognitive and psychiatric impairments or psychosocial disabilities.

Articles 12-13

21. Please provide annual statistical data from 2014 onwards, disaggregated by crime, the sex and age range of the victim and the minority group to which he or she belongs, if applicable, on: (a) the number of complaints filed and police reports initiated relating to torture, as well as the number of such complaints and reports related to ill-treatment, attempted commission of, or complicity or participation in, such acts, and killings or excessive use of force allegedly committed by or with the acquiescence or consent of law enforcement, security, military or prison personnel; (b) the number of investigations initiated as a result of those complaints and by which authority; (c) the number of those complaints that were dismissed; (d) the number of those complaints that led to prosecutions; (e) the number of those complaints that led to convictions and the penal and disciplinary sanctions that were applied to public officials who were found guilty, including the length of prison sentences; (f) the number of ex officio investigations into cases of torture and ill-treatment and the number of ex officio prosecutions per year; and (g) the number of cases of torture or ill-treatment reported by doctors following medical examinations of detainees, and the outcome of those cases.

22. Please provide information on measures taken to:

(a) Raise the awareness of detainees, including in immigration detention centres and those on Manus Island and Nauru, about the possibility of and procedure for filing a complaint of alleged torture or ill-treatment by State officials, and to publicize such information widely, including by displaying it in all places of detention;

(b) Guarantee the confidentiality of complaints and the protection of complainants, including reporting officers, against intimidation and reprisals as a consequence of their complaints;

(c) Ensure that the complaints received are formally answered and investigations are initiated whenever there are allegations of torture, ill-treatment or poor detention conditions. Please clarify whether complainants are always informed of the outcome of their complaints, including if they have been released from a detention facility.

23. With reference to the Committee's previous concluding observations (para. 19) on cases of alleged abuse of children who were placed in institutional or out-of-home care throughout the twentieth century, please provide:

(a) Information on the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse and the response of the State party to those findings. Please indicate the steps taken to ensure that the work of the Royal Commission supplements, rather than replaces, criminal prosecutions and court proceedings;

(b) Statistical data, disaggregated by type of crime, on the number of victims of child abuse, including physical, psychological and sexual abuse, in institutional or out-of-home care throughout the twentieth century, the number of complaints lodged or allegations registered by the police, the number of such allegations that have been investigated, how many of those complaints led to prosecutions and convictions and the punishment imposed in those cases;

(c) The means of redress and compensation obtained by victims to date.

Article 14

24. In the light of paragraph 46 of the Committee's general comment No. 3 (2012) on the implementation of article 14 by States parties, please provide information on measures for ensuring reparation to victims of torture and ill-treatment in each state and major mainland territory of the State party, specifically:

(a) Redress and compensation measures ordered by the courts since the consideration of the State party's previous report. That information should include the number of requests for compensation that have been made, the number granted and the amounts ordered and actually provided in each case;

(b) The kind of rehabilitation programmes that are provided to victims and whether they include medical and psychological assistance;

(c) The measures taken to provide other forms of redress (restitution, satisfaction, including restoration of dignity and reputation, and guarantees of non-repetition) to victims of torture and ill-treatment, and how many of those measures have actually been granted to victims of torture and ill-treatment during the period under review;

(d) Clarification of whether victims of torture and ill-treatment have access to free legal aid.

Article 16

25. With reference to the Committee's previous concluding observations (para. 13), please provide information for each state and major mainland territory of the State party on the measures taken to strengthen control over the use of conducted energy weapons (tasers) in order to ensure that they are used exclusively in extreme and limited situations, where there is a real and immediate threat to life or risk of serious injury and by trained law enforcement personnel only. In that regard, please provide:

(a) Information on the efforts made to adopt uniform national rules to ensure that a high threshold for the use of those weapons is established and that reporting on their use is mandatory. Please clarify whether the use of such weapons is prohibited on children and pregnant women and as part of the equipment of custodial staff in places of deprivation of liberty;

(b) Information on the measures taken to provide regular and rigorous training to law enforcement personnel entitled to use those weapons;

(c) Annual data, disaggregated by the sex and age range of the person affected and the minority group to which he or she belongs, if applicable, on the number of situations in which those weapons have been used. Please specify the number of complaints that have been lodged or allegations registered by the police regarding the alleged disproportionate or arbitrary use of those weapons, the number of such complaints that have been investigated and the outcome of the investigations, including the penalties imposed and the redress obtained by victims.

26. In the light of the Committee's concluding observations (para. 20), please provide information on the efforts made to prohibit the use of sterilization without the prior, free and informed consent of the person concerned in all Australian jurisdictions. Please clarify whether non-urgent and irreversible medical or surgical treatment aimed at determining the sex of a child is permitted and performed on children and how the State party guarantees that the full, free and informed consent of the persons concerned is ensured. In that regard, please indicate what action has been taken by the State party to implement the recommendations of a 2013 Senate Community Affairs References Committee report on the involuntary or coerced sterilization of intersex people in Australia. In addition, please indicate which criminal or civil remedies are available for people who underwent involuntary sterilization or unnecessary and irreversible medical or surgical treatment aimed at determining their sex when they were children and whether those remedies are subject to any statute of limitations.

27. Please provide information on the measures taken since the last review, including awareness-raising campaigns and parenting education programmes, to end the practice of corporal punishment in all settings, including in the home, and to ensure that corporal punishment of children is explicitly prohibited in all settings in all states and territories in Australia.

Other issues

28. With reference to the Committee's previous concluding observations (para. 22) and the State party's commitment to ratify the Optional Protocol to the Convention, please indicate the timing of the ratification process.

General information on other measures and developments relating to the implementation of the Convention in the State party

29. Please provide information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the State party's previous report to implement the provisions of the Convention or the Committee's recommendations, including institutional developments, plans or programmes. Please indicate the resources allocated and statistical data. Please also provide any other information that the State party considers relevant.